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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT TENANCY AND AGRICULTURAL LANDS

LAWS (AMENDMENT) BILL, 2024.

GUJARAT BILL NO. 1 OF 2024.

A BILL

*further to amend the Gujarat Tenancy and Agricultural Lands Act, 1948,
the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands
Ordinance, 1949 and the Gujarat Tenancy and Agricultural Lands
(Vidarbha Region and Kutch area) Act, 1958.*

It is hereby enacted in the Seventy-fifth Year of the Republic of India as follows :-

1. (1) This Act may be called the Gujarat Tenancy and Agricultural Lands Laws (Amendment) Act, 2024.

**Short title and
commencement.**

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

- Amendment of Section 63AC of Bom. LXVII Of 1948.** **2.** In the Gujarat Tenancy and Agricultural Lands Act, 1948, in section 63AC, in sub-section (1), for the portion beginning with the words “within one year” and ending with the words “to the Collector for conversion of such land into non-agricultural purpose.”, the following portion shall be substituted, namely:-
- “within such time as may be specified by the State Government, by notification in the *Official Gazette*, from time to time to the Collector for conversion of such land into non-agricultural purpose.”.
- Amendment of Section 54B of Sau. Ord. XLI of 1949.** **3.** In the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949, in section 54B, in sub-section (1), for the portion beginning with the words “within one year” and ending with the words “to the Collector for conversion of such land into non-agricultural purpose.”, the following portion shall be substituted, namely:-
- “within such time as may be specified by the State Government, by notification in the *Official Gazette*, from time to time to the Collector for conversion of such land into non-agricultural purpose.”.
- Amendment of Section 89C of Bom. XCIX of 1958.** **4.** In the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958, in section 89C, in sub-section (1), for the portion beginning with the words “within one year” and ending with the words “to the Collector for conversion of such land into non-agricultural purpose.”, the following portion shall be substituted, namely:-
- “within such time as may be specified by the State Government, by notification in the *Official Gazette*, from time to time to the Collector for conversion of such land into non-agricultural purpose.”.

**Bom. LXVII
of 1948.**

**Sau. Ord. XLI
of 1949.**

**Bom. XCIX
of 1958.**

STATEMENT OF OBJECTS AND REASONS

At present there are three different tenancy laws in operation in the State. In the Bombay area of the State of Gujarat, the Gujarat Tenancy and Agricultural Lands Act, 1948 is in force, in the Kutch area of the state of Gujarat, the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958 is in force, whereas in the Saurashtra area of the State of Gujarat, the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 is in force.

Section 63 AC of the Gujarat Tenancy and Agricultural Lands Act, 1948 inter alia, provides that the institutions mentioned in the said provision shall be entitled to apply for conversion of land to non-agricultural purpose if the land in question is purchased by such institutions on or before 30th June, 2015. Similar provisions have been made in section 54B of Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 and section 89 C of the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958.

However, representations have been received from charitable institutions promoting charity to further extend the date for making application for conversion of such lands purchased on or before 30th June, 2015 as such institutions have not been able to apply within time limit due to various reasons and because of this, such institutions have not been able to start charity work.

Necessary amendments are therefore, proposed in section 63AC of the Gujarat Tenancy and Agricultural Lands Act, 1948, section 54B of the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 and section 89C of the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958. Clauses 2, 3, and 4 of this Bill provide for the same.

This Bill seeks to amend the said three Tenancy Acts to achieve the aforesaid objects.

BALVANTSINH RAJPUT,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill provides for delegation of legislative powers in the following respects:-

Clause 1. - Sub-clause (2) of this clause empowers the State Government to appoint by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 2. - Sub-section (1) of section 63AC of the Gujarat Tenancy and Agricultural Lands Act, 1948 proposed to be amended by this clause empowers the State Government to specify, by notification in the *Official Gazette*, the time within which the application may be made by the public trust or the company as specified therein, to the Collector for conversion of land, purchased on or before 30th June, 2015, into non-agricultural purpose.

Clause 3. - Sub-section (1) of section 54B of the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 proposed to be amended by this clause empowers the State Government to specify, by notification in the *Official Gazette*, the time within which the application may be made by the public trust or the company as specified therein, to the Collector for conversion of land, purchased on or before 30th June, 2015, into non-agricultural purpose.

Clause 4. - Sub-section (1) of section 89C of the Gujarat Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958 proposed to be amended by this clause empowers the State Government to specify, by notification in the *Official Gazette*, the time within which the application may be made by the public trust or the company as specified therein, to the Collector for conversion of land, purchased on or before 30th June, 2015, into non-agricultural purpose.

The delegation of the legislative power as aforesaid is necessary and is of a normal character.

Dated the 25th January, 2024.

BALVANTSINH RAJPUT.

By order and in the name of the Governor of Gujarat,

K. M. LALA,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs
Department.

Gandhinagar,
Dated the 25th January, 2024.

